

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

vs.

JOHN JACOB HASAY

Defendant

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5:18-MJ-79

(Saporito, MJ.)

MOTION FOR RELEASE FROM DETENTION

1. On September 13, 2018 this Court entered an order (Document# 20) authorizing the defendant's release from the Lackawanna County Prison to First Hospital, a secure psychiatric facility, for evaluation to determine whether he poses a danger to himself or others, and thus warranting pretrial detention.
2. The defendant was admitted to First Hospital on the morning of September 15.
3. First Hospital has notified counsel for defendant that the defendant is being medically discharged from First Hospital today, September 24, as there is no medical justification for further evaluation and treatment in a secure facility.
4. Undersigned counsel has notified the U.S. Marshall service and Lackawanna County Prison (which facilitates the transfer) of the discharge. Lackawanna County prison staff will be picking up the defendant at First Hospital sometime on or before 3:00 p.m. and returning him to the Lackawanna County prison per this court's order.
5. At this time, the defendant does not pose an acute danger to himself or the community. He is on and must continue to remain on an anti-depressant, and upon release from detention, he will need partial hospitalization.

WHEREFORE, the defendant requests that he be released from detention subject to such conditions as the court may impose.

/s/ Al Flora, Jr.

Al Flora, Jr., Esq.
Counsel for Defendant

CERTIFICATE OF NON-CONCURRENCE

Undersigned counsel has notified AUSA Phillip J. Caraballo of the discharge from First Hospital but has been unable to further determine the Government's position on release from detention.

/s/ Al Flora, Jr.

Al Flora, Jr., Esq.